



UNITED STATES DEPARTMENT OF COMMERCE

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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/056,029 04/30/93 BOYCE

J FM-112J

SHELBORNE EXAMINER

15N1/0911

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WALTHAM, MA 02154

ART UNIT

PAPER NUMBER

1504 12
1504

DATE MAILED: 09/11/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on 4/27/95 This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Draftsman's Patent Drawing Review, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6.

Part II SUMMARY OF ACTION

1. Claims 1-23 are pending in the application.

Of the above, claims 5, 8, 21 and 23 are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 1-4, 6, 7, 9-19, 20 and 22 are rejected.

5. Claims _____ are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).

12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

Serial Number: 08/056029

-2-

Art Unit: 1106

Applicants amendment filed 10-02-95 has been fully considered prior to this office action. In response to applicants' amendment, the Examiner withdraws the 35 USC 102 (b) rejection of claims 1, 3, 6, 9, 10, 12, 16, 18, 20 and 22 as being anticipated by Born et al (4,923,540).

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, 5, 9, 10, 12, 16, 18, 20 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by the 783035 Publication for the reason stated in the last office action of paper no. 12.

Claim 3 is rejected under 35 U.S.C. § 103 as being unpatentable over 783035 Publication for the reasons stated in the last office action of paper no. 12.

Claims 1-4, 6, 7, 9-20 and 22 are rejected under 35 U.S.C. § 103 as being unpatentable over Holko for the reasons stated in the last office action of paper no. 12.

Applicant's arguments filed 10-02-95 have been fully considered but they are not deemed to be persuasive.

In regards to the arguments on the 783035 Publication, the Examiner disagrees. The strands of the reference can be seen to be equivalent to the reinforcing elements of the applicants. These strands or reinforcing elements are extended through the thickness of the belt, since the spaces between the strands of

Serial Number: 08/056029

- 3 -

Art Unit: 1106

the butt-joints are filled with rubber which packs and vulcanizes the joint.

In regard to the arguments on Holko, the Examiner feels that the reference does teach applicants' extra step of disposing or inserting additional reinforcing elements through the thickness of a composite part which already contains carbon-carbon fibers in a resin matrix, and leaving them extending, and placing them on top of each other at the joint region, and disposing an adherent about the extending reinforcing elements. (Note column 2, lines 11-43 and 52-60 and claim 1).

The Examiner, therefore, contends that there is no evidence showing that patentably significant differences exist between the products of the references and those claimed by the applicant.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathryne E. Shelborne whose telephone number is (703) 308-3627.

Serial Number: 08/056029

- 4 -

Art Unit: 1106

Any inquiry of a general nature or relating to the status of
this application should be directed to the Group receptionist
whose telephone number is (703) 308-0661.

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12-12-95

Dale
ASUN P.M. 1/6/96
PATENT EXAMINER
ART UNIT 1